

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Sri. G. Rajesh, Jr. Asst (U/S), O/o JDA, Kurnool and (4) others – Initiation of departmental actions u/r 20 of APCS (CC&A) Rules, 1991 read with u/r 24 under of A.P.C.S. (CC&A) Rules, 1991 - Article of charges – Issued.

AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.RT.No. 857

Dated: 16-12-2020.

Read the following:-

1. From the Special Commissioner of Agriculture, A.P., Guntur, Lr.Dt:18.10.2019.
2. Govt. Memo.No.AGC01-AGRI/309/2019, A&C (Vig.I) Dept., Dated:15/11/2019, 06/02/2020 , 24.07.2020 & 29.09.2020
3. From the Commissioner of Agriculture, A.P., Guntur, Lr. No Vig 1(2)34/2019, dated: 22-04-2020, 14.09.2020 & 30.10.2020.
4. Govt. Memo. No. AGC01-AGRI/309/2019, A&C (Vig.I) Dept., Dated:16.12.2020.

ORDER:-

It is proposed to hold an enquiry against the said Sri. G. Rajesh, Jr. Asst (U/S), O/o JDA, Kurnool and (4) others in accordance with procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the Inquiry is proposed to be held against Sri. G. Rajesh, Jr. Asst (U/S), O/o JDA, Kurnool is set out in the enclosed statement of Article of Charges (Annexure-I). Statement of imputation of misconduct or misbehavior on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charges is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri. G. Rajesh, Jr. Asst (U/S), O/o JDA, Kurnool is directed to submit within 15 days of the receipt of this G.O. a written statement of his defense and also to state whether he desires to be heard in person.

4. Sri. G. Rajesh, Jr. Asst (U/S), O/o JDA, Kurnool is further informed that an Inquiry will be held only in respect of those article of charges as are not admitted. He should therefore, specifically admit or deny the article of charges.

5. Sri. G. Rajesh, Jr. Asst (U/S), O/o JDA, Kurnool is further informed that if he does not submit his written statement of defense on or before the date specified in para-3 above, further action will be processed based on the material available.

(P.T.O)

6. Attention of Sri. G. Rajesh, Jr. Asst (U/S), O/o JDA, Kurnool is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri. G. Rajesh, Jr. Asst (U/S), O/o JDA, Kurnool is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A. P. Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**POONAM MALAKONDAIAH
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To
Sri. G. Rajesh, Jr. Asst (U/S), O/o JDA, Kurnool (through the
Commissioner and Director of Agriculture, A.P., Guntur)

Copy to:

The Commissioner and Director of Agriculture, A.P., Guntur,
(with a request to serve this order to the charged officer and
return the served copy with dated acknowledgement.)

SC/SF.

// FORWARDED BY ORDER //

SECTION OFFICER

(Contd... Annexures)

ANNEXURE-I

STATEMENT OF DRAFT ARTICLES OF CHARGE FRAMED AGAINST SRI. G. RAJESH, JUNIOR ASSISTANT, (U/S),O/o JDA, KURNOOL DISTRICT.

Article of Charge-I:

" that Sri. G. Rajesh, while working as Junior Assistant, O/o JDA, Kurnool has adopted fraudulent methods and misappropriated the Government funds meant for the benefits of farmers under NFSM and NMOOP schemes by submitting 15 (fifteen) bills on four number of fake companies created by him and misappropriated the Government funds to the tune of Rs. 97.55 Lakhs. Thus, he exhibited lack of integrity, devotion to duty and conduct of an un becoming Government Servant which attracts violation of Rule 3 of APCS (Conduct) Rules 1964".

Article of Charge-II:

"that Sri. G. Rajesh, while working as Junior Assistant, O/o JDA, Kurnool has submitted 4 bills directly to the Joint Director of Agriculture, Kurnool for approval without circulating through the Technical Officer and deviated the office procedure. Thus, he neglected in discharging his legitimate duties properly and violated the Rule 3 of APCS (Conduct) Rules 1964".

Article of Charge-III:

"that Sri. G. Rajesh, while working as Junior Assistant, O/o JDA, Kurnool has created a vendor code on a fake firm of M/s. Swathi Agencies and added his wife name Smt. Swathi Golla to the Bank Account and IFSC Code as vendor details in CFMS by fraudulent method with malafied intention of misappropriating the Government funds and submitted the vendor details to the accounts section for crediting the sanctioned subsidy amount in favour of the fake firm created by him. Thus, he committed gross misconduct and violated the Rule 3 of APCS (Conduct) Rules 1964".

Article of Charge-IV:

"that Sri. G. Rajesh, while working as Junior Assistant, O/o JDA, Kurnool has fraudulently misappropriated the amount for payment through scheme bank account for transfer of funds through RTGs mode to the firms by mentioning the fake firm name M/s.Swathi Agency, Bank Account number of his wife Smt. Swathi golla with signature of the JDA, Kurnool on RTGs form and presented yourself cheque for the sanctioned proceedings which was handed over by the accounts section to Sri. G. Rajesh, junior Assistant for onward action. Thus, he committed gross misconduct and violated the Rule 3 of APCS (Conduct) Rules 1964".

(P.T.O)

Article of Charge-V:

"that Sri. G. Rajesh, while working as Junior Assistant, O/o JDA, Kurnool has fraudulently misappropriated the Government funds willfully to a tune of Rs. 97.55 Lakhs and utilized all the misappropriated and diverted Government funds for his own personnel purposes. Thus, he exhibited lack of integrity, devotion to duty and behaved in a manner derogatory to the prestige of Government which attracts violation of Rule 3 of APCS (Conduct) Rules 1964".

Article of Charge-VI:

"that Sri. G. Rajesh, while working as Junior Assistant, O/o JDA, Kurnool has misled all higher level Officers with pre planned malafied intention of misappropriating the Government funds duly creating fake firms and got the approvals on Note files and proceedings of sanction orders by re-submitting duplicated utilization certificates, invoices raised in the name of fake firms created by him and deliberately misappropriated the Government funds to a tune of Rs. 97.55 lakhs. Thus, he exhibited lack of integrity, devotion to duty and conduct of an un becoming Government Servant which attracts violation of Rule 3 of APCS (Conduct) Rules 1964".

**POONAM MALAKONDAIAH
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

SECTION OFFICER

(Contd...5)

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI. G. RAJESH, JUNIOR ASSISTANT, (U/S),O/o JDA, KURNOOL DISTRICT.

In respect of the Charge-I:

On receipt of a report from the O/o JDA, Kurnool regarding the fraudulent misappropriation of Government funds by Sri. G. Rajesh, Jr.Asst, O/o JDA, Kurnool under the schemes of NFSM and NMOOP, the Collector & District Magistrate, Kurnool has appointed a Four Men Committee to probe into the matter and submit the findings. The four men committee after on thorough verification of records in the matter, has reported that the following subsidy amounts are Misappropriated by Sri. File No.AGCO2-32026(31)/1/2019-VIG - AGRHOD G. Rajesh, Jr.Asst, O/o JDA, Kurnool.

SI.No	Year	Name of fake firm	Date	Misappropriated amount
1	2016-17	Swathi Agencies, Kurnool	19.12.2016	450000
2	2016-17	Swathi Agencies, Kurnool	31.01.2017	660000
3	2016-17	Swathi Agencies, Kurnool	14.03.2017	450000
4	2017-18	Swathi Agencies, Kurnool	01.05.2017	830000
5	2017-18	Swathi Agencies, Kurnool	20.05.2017	670000
6	2017-18	Swathi Agencies, Kurnool	17.06.2017	850000
7	2017-18	Swathi Agencies, Kurnool	06.09.2017	680000
8	2017-18	Swathi Agencies, Kurnool	09.08.2018	450000
9	2017-18	Swathi Pipes Pvt.Ltd., Kurnool	29.09.2018	45000
10	2015-16	Swathi Agro Industries, Kurnool	28.03.2016	730000
11	2015-16	Satish Agro Industries, Kurnool	06.04.2016	640000
12	2016-17	Swathi Agro Industries, Kurnool	02.05.2016	380000
13	2016-17	Swathi Agro Industries, Kurnool	24.05.2016	550000
14	2016-17	Swathi Agro Industries, Kurnool	28.11.2018	750000
15	2017-18	Swathi Agro Industries, Kurnool	14.12.2018	860000
16	2017-18	Swathi Agencies, Kurnool	02.02.2019	760000
		GRAND TOTAL		9755000

The four men committee has reported that a total subsidy amount of Rs. 97.55 lakhs are found to be fraudulently misappropriated by the Junior Assistant by submitting 15 bills on four number of fake companies created on the names of Swathi Agro Industries, Swathi Agro Agencies, M/s. Swathi Agencies Kurnool and Swathi Pipes private limited and one bill on the name of approved firm i.e., M/s. Satish Agro Industries by resubmitting bill with already paid bill details mentioning his wife SB Account details in the proceedings. The four men committee has further noted that on perusal of the record above note files and proceedings it is noticed that misappropriation of subsidy amount of fake firms created by the Junior Assistant, Sri. G. Rajesh has commenced from the year 2015-16 by crediting the sanctioned amount of Rs. 97.55 Lakhs into his wife's SB Account bearing number 21215151833 on different dates. Therefore, the aforesaid employee has exhibited lack of integrity, devotion to duty and conduct of an un becoming Government Servant which attracts violation of Rule 3 of APCS (Conduct) Rules 1964".

In respect of the Charge-II:

The four men committee constituted by the Collector & District Magistrate, Kurnool to probe into the misappropriation of Government funds in the office of Joint Director of Agriculture, Kurnool has reported that four bills were directly submitted by Sri, G. Rajesh, Junior Assistant, O/o JDA, Kurnool for approval without circulating through the Technical Officer which shows his malafied intention of getting approval of bills.

Therefore, the aforesaid employee has shown gross negligence in discharging his legitimate duties and violated Rule 3 of APCS (Conduct) Rules 1964.

In respect of Charge-III:

The four men committee constituted by the Collector & District Magistrate, Kurnool has stated in its report that it is evident that after introduction of CFMS method for payments through treasury from PD Accounts, Sri. G. Rajesh, Junior Assistant, O/o JDA, Kurnool has created a vendor code on a fake firm i.e., M/s. Swathi Agencies, added his wife's Swathi Golla bank account and IFSC code as vendor details in CFMS by fraudulent method and submitted the vendor details to the accounts section for crediting the sanctioned subsidy amount in favour of his fake firm.

Therefore, the aforesaid employee has shown gross misconduct in discharging his legitimate duties and violated Rule 3 of APCS (Conduct) Rules 1964.

In respect of Charge-IV:

The four men committee constituted by the Collector & District Magistrate, Kurnool has pointed out in its report that for payment through scheme Bank Account, the account section has issued Yourself cheque for the sanctioned proceedings and handed over to the Junior Assistant for transfer of funds through RTGs mode to the firms. Sri. G. Rajesh, Jr. Asst, O/o JDA, Kurnool has presented the

RTGs forms mentioning the fake firm name M/s. Swathi Agency, bank account number along with IFSC code of his wife's SB account with signature of the Joint Director of Agriculture, Kurnool on RTGs form and presented yourself cheque and RTGs form in the bank mentioning his phone number on the RTGs form for transferring amount to his wife's bank SB account.

Therefore, the aforesaid employee has shown gross misconduct in discharging his legitimate duties and violated Rule 3 of APCS (Conduct) Rules 1964.

In respect of Charge-V:

The four men committee constituted by the Collector & District Magistrate, Kurnool has reported that the misappropriated Government funds were deliberately transferred to the bank accounts of Smt. Swathi Golla, W/o. Sri. G. Rajesh, Jr.Asst (U/S), O/o JDA, Kurnool and so transferred amount was completely and consciously utilized to meet his own personal purposes and acquired different movable and immovable properties like house sited, Ornaments, vehicle etc., through internet banking system of him and his wife.

Therefore, the aforesaid employee has shown gross misconduct in discharging his legitimate duties and violated Rule 3 of APCS (Conduct) Rules 1964.

In respect of Charge - VI:

The four men committee constituted by the Collector & District Magistrate, Kurnool has stated in its report that Sri. G. Rajesh, Junior Assistant, O/o JDA, Kurnool has misled all higher level Officers in getting the approval of note files and proceedings for sanction of fake bills and firms and submitted duplicate utilization certificates and misappropriated Government funds to a tune of Rs.97.55 Lakhs and deliberately cheated the department.

Therefore, the aforesaid employee has exhibited lack of integrity, devotion to duty and conduct of an un becoming Government Servant which attracts violation of Rule 3 of APCS (Conduct) Rules 1964".

**POONAM MALAKONDAIAH
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

SECTION OFFICER

(P.T.O)

ANNEXURE-III

DRAFT LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI. G. RAJESH, JUNIOR ASSISTANT, O/o JDA, KURNOOL DISTRICT ARE PROPOSED TO BE SUSTAINED.

1)Report of Four Men committee appointed by the Collector & District Magistrate, Kurnool to enquire about the fraud and misappropriation of funds pertaining to NFSM & NMOOP schemes in the O/o JDA, Kurnool by Sri. G. Rajesh, Jr.Asst(U/S), O/o JDA, Kurnool.

**POONAM MALAKONDAIAH
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

SECTION OFFICER

ANNEXURE-IV

**LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE
FRAMED AGAINST SRI. G. RAJESH, JUNIOR ASSISTANT, O/o
JDA, KURNOOL DISTRICT ARE PROPOSED TO BE SUSTAINED.**

1. Smt. U. Umamaheswaramma the then JDA, Kurnool and at present working as PD, ATMA, Kurnool.
2. Sri. D. Tagore Naik, the then JDA, Kurnool and now retired as JDA, Kurnool.
3. Sri. M.Gireesh, the then Agricultural Officer (Tech. Asst) O/o JDA, Kurnool and at present working as ADA, O/o DDA, FTC, Nandyal, Kurnool district.
4. Sri. C.Ashok Kumar Reddy, Agricultural Officer (Tech. Asst) O/o JDA, Kurnool.

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